

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



December 5, 2005

Daryl Koutnik
Impact Analysis Section
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

**Negative Declaration and Project Comments - Project No. 04-059
Oak Tree Permit, 11631 Poema Place Chatsworth (SCH No. 2005111022)**

Dear Dr. Koutnik:

The proposed project on a minimum of 4.16 acres would result in mass grading directly abutting an open space dedication that the Conservancy has attempted to perfect over the last twenty years. That 23-acre dedication abuts the southern boundary of the proposed project. It was a condition of approval from the condominium tract map that straddles Poema Place located immediately to the east.

Although the Conservancy has not successfully navigated the transfer of title to this property into public hands, for planning and impact analysis purposes, it should be considered public open space. Furthermore, the subject dedication parcel connects eastward across Poema Place to a yet unsecured 70-acre dedication from the same tract map. That property includes a section of Devil Creek. Essentially both the subject development property and the 1980s open space dedication remain connected to the core habitat of the Santa Susana Mountains via existing permanently protected lands.

The Negative Declaration is deficient for not including this open space dedication information in its analysis of potential impacts and mitigation measures. The Negative Declaration is also deficient in its description of the ecological value of the subject property. Ninety percent of the property contains intact, good quality native habitat and extensive sand stone outcrops that all provide habitat for the Santa Susana tarplant. An sea adjacent project in sandstone habitat should require a complete biological report. The project design makes no effort to work among these natural resources and results in mass cut and fill grading. For example the project fills in the headwaters of the only onsite drainage course.

Los Angeles County Impact Analysis Section
Project No. 04-059, Oak Tree Permit, 11631 Poema Place
December 5, 2005
Page 2

The project description may also be deficient because it does not address potential impacts from the creation of a pad shown on the attached rough grading plan as Lot 22. The proposed access road provides access to the subject lot and to Lots 21 and 22. How can the grading for Lot 22 shown on the grading plan not be considered part of the same project under the California Environmental Quality Act (CEQA)? The County must clarify why this interweaving of project grading does not constitute project piece mealism under CEQA. If a clear CEQA separation of projects cannot be decisively demonstrated, the County should reissue a new Mitigated Negative Declaration.

The project should be modified to pull all grading and drainage infrastructure fifty feet back from the Conservancy's open space dedication parcel. This alteration would affect grading on the subject lot and on Lot 22. If the only way to achieve that grading set back is to both lower and reduce the size of the housing pad, that action should be required.

The project impacts, including fuel modification, consume over 75 percent of the site. To guarantee the ecological function of the remaining 25 percent, the County must require a conservation easement that forbids all uses except County Fire Department required brush clearance. A deed restriction is inadequate. Ideally both the County and the Mountains Recreation and Conservation Authority (MRCA) would receive those easements. They should be provided at no cost to the public agencies prior to issuance of any building permits.

The project should also be modified to allow all natural and modified drainage from the project to sheet flow on to the Conservancy's future open space parcel to the south. It is better to nourish the ecology there than in the Los Angeles River Channel.

Please direct any comments and future correspondence to Paul Edelman, Deputy Director of Natural Resources and Planning, at the above address and by phone at 310-589-3200 ext. 128.

Sincerely,

ELIZABETH A. CHEADLE
Chairperson